

REMARKS

Claims 2 to 5, 7 to 13, 15 to 37, 61, 62, and 63 to 70 remain for consideration on the merits. Claims 2 to 5, 7 to 13, and 15 to 37 were rejected under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 61-70 were allowable.

The Examiner noted a clarity problem in that "at least two isocyanate terminated polyurethane prepolymers" were stated in claim 3, but one of the prepolymers has blocked isocyanate groups. Applicant had deleted the words "isocyanate terminated" in claim 3 to clarify that one or both of the prepolymers can have blocked isocyanate end groups.

The Examiner has noted that claim 13 indicates "prepolymers are neutralized prior to mixing" and this causes the Examiner some concerns. Applicant has deleted the language about "prior to mixing or after mixing the prepolymers but".

The Examiner indicates in claim 21 that "said polyurethane" is singular while there are two prepolymers. Applicant has amended claim 21 to indicate that "polyurethane prepolymers".

The Examiner indicates that in claims 32-37 there isn't antecedent basis for "non-uniform particles". Applicant has amended claims 32-37 to indicated that "said polyurethane prepolymers form" the non-uniform particles "when dispersed in the aqueous medium" as set forth in claim 3. Support for the various morphologies is given in the Summary of the Invention paragraphs [0024] to [0031]. The specification in its entirety teaches that the morphologies are formed as the two or more different urethane prepolymers phase separate after dispersion in the aqueous medium.

Claims 61-70 are indicated as being allowable as currently written.

Attorney Samuel B. Laferty is a registered patent attorney, occupying a corporate patent attorney office directly adjacent to that of Thoburn T. Dunlap, and an employee of The Lubrizol Corporation and its wholly owned subsidiary, Lubrizol Advanced Materials, Inc. Attorney Samuel B. Laferty is registered under the Customer Number 37535 (registered for this application) for The Lubrizol Corporation and Lubrizol Advanced Materials, Inc. Thoburn T. Dunlap was busy with some other matters and

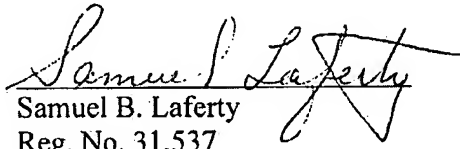
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asked that Samuel B. Laferty prepare and file a timely response to the Office Action of July 24, 2008. Should the Examiner request further evidence of authorization for Samuel B. Laferty to respond, the same can be provided.

Accordingly, it is believed the claims have been amended to place them in condition for allowance. Accordingly, an early Notice of Allowance with respect to claims 2 to 5, 7 to 13, 15 to 37, 61, 62, and 63 to 70 is earnestly solicited.

If any minor issues remain that can be resolved via a telephonic conference, please feel free to contact the undersigned at the telephone number noted below.

Respectfully submitted,


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